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8 **THE DISTRICT COURT OF GUAM**

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10 ANGELINE SABLAN,

11 Plaintiff,

12 vs.

13 CORE TECH RESORT, LLC,

14 Defendant.

CIVIL CASE NO. 19-00138

**ORDER**

15 Before the court is Defendant Core Tech Resort, LLC's Motion to Tax Costs (ECF No.  
16 137). Attached to Defendant's Motion to Tax Costs is a Bill of Costs. *See* App. A, ECF No. 137-  
17 3. The Motion to Tax Costs and attached Bill of Costs were filed on March 20, 2023. *See* ECF  
18 No. 137. The jury returned its verdict in this case on February 20, 2023. *See* ECF No. 134.  
19 Defendant therefore timely filed its Bill of Costs in compliance with Civil Local Rule 54(b)(2).

20 Plaintiff Angeline Sablan filed her Opposition to Tax Costs on April 3, 2023, fourteen  
21 (14) days after Defendant filed its Bill of Costs. *See* ECF No. 139.<sup>1</sup> Plaintiff therefore timely

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23 <sup>1</sup> Plaintiff states that she "has not submitted any objections" "because no Bill of Costs has been filed with  
24 the clerk." Opp'n at 3, ECF No. 139. First of all, a Bill of Costs was filed. *See* App. A, ECF No. 137-3.  
Second of all, Plaintiff's Opposition contains "specific objections, succinctly setting forth the grounds and  
authorities for each objection." D. Guam LR 54(b)(4). The court will therefore construe Plaintiff's  
Opposition as objections to Defendant's Bill of Costs.

1 filed objections to the Bill of Costs in compliance with Civil Local Rule 54(b)(4). Civil Local  
2 Rule 54(b)(4) states, “Upon the timely filing of any objections, the Clerk of Court will refer both  
3 the Bill of Costs and objections to the Court for a determination of taxable costs.” Defendant’s  
4 Bill of Costs is therefore properly before the court.

5 Defendant attached a Declaration of R. Marsil Johnson in Support of Motion for Taxation  
6 of Costs to its Motion to Tax Costs. *See* ECF No. 137-2. This declaration does not “contain a  
7 representation that counsel met and conferred in an effort to resolve any disputes about the  
8 claimed costs . . . or that [Defendant] made a good faith effort to arrange such a conference,  
9 setting forth the reasons the conference was not held.” Plaintiff states that no such attempt has  
10 been made. *See* Opp’n ¶ 6, ECF No. 139. Defendant’s Reply Memorandum in Support of Motion  
11 to Tax Costs does not address this omission. *See* ECF No. 140. Defendant has not sought leave to  
12 file any supplement to its Motion to Tax Costs indicating that it remedied this omission by  
13 subsequently seeking to meet and confer with Plaintiff. In light of Defendant’s noncompliance  
14 with the court’s local rules, the court DENIES the Motion to Tax Costs and SUSTAINS  
15 Plaintiff’s objections to the Bill of Costs. *See* D. Guam R 2.1 (“The failure to conform to any of  
16 these Local Rules . . . shall subject the offending party . . . to such penalties . . . as the Court may  
17 deem appropriate under the circumstances.”).

18 **SO ORDERED.**



/s/ Frances M. Tydingco-Gatewood  
Chief Judge  
Dated: Jun 27, 2023